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Attorney Docket P2730P1C23

PATENT



09/993748  
jce28 U.S. PRO



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

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- William I. Wood, Hillsborough, CA
- Zemin Zhang, Foster City, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

1. Type of Application

[ ] This application is for an original, non-provisional application.

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- [ ] This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a continuation application claiming priority under 35 USC §120 to US serial number 09/941,992 filed 8/28/01 which claims priority under 35 USC §120 to US serial numbers 08/743698 filed 11/6/96, 08/876698 filed 6/16/97, now abandoned, 08/965056 filed 11/5/97, US Patent No: 6,271,198 issued 8/7/01, 09/105413 filed 6/26/98, 09/168978 filed 10/7/98, 09/187368 filed 11/6/98, 09/202054 filed 12/7/98, 09/218517 filed 12/22/98, now abandoned, 09/254311 filed 3/3/99, 09/254460 filed 3/9/99, now abandoned, 09/267213 filed 3/12/99, now abandoned, 09/284291 filed 4/12/99, now abandoned, 09/380137 filed 8/25/99, now abandoned, 09/380138 filed 8/25/99, now abandoned, 09/380139 filed 8/25/99, 09/403296 filed 10/18/99, now abandoned, 09/423844 filed 11/12/99, now abandoned, 09/664610 filed 9/18/00, now abandoned, 09/665350 filed 9/18/00, 09/709238 filed 11/8/00, 09/808689 filed 3/14/01, now abandoned, 09/854816 filed 5/15/01, 09/866028 filed 5/25/01, 09/866034 filed 5/25/01, 09/872035 filed 6/1/01, 09/882636 filed 6/14/01, now abandoned, and which claims priority under 35 USC §120 to PCT international application numbers PCT/US97/20069 filed 11/5/97, PCT/US98/19330 filed 9/16/98, PCT/US98/19437 filed 9/17/98, now abandoned, PCT/US98/21141 filed 10/7/98, PCT/US98/25108 filed 12/1/98, PCT/US99/00106 filed 1/5/99, now abandoned, PCT/US99/05028 filed 3/8/99, PCT/US99/12252 filed 6/2/99, PCT/US99/21090 filed 9/15/99, PCT/US99/21547 filed 9/15/99, PCT/US99/28313 filed 11/30/99, PCT/US99/28301 filed 12/1/99, PCT/US99/28634 filed 12/1/99, PCT/US99/30095 filed 12/16/99, PCT/US99/30911 filed 12/20/99, PCT/US00/00219 filed 1/5/00, now abandoned, PCT/US00/00376 filed 1/6/00, now abandoned, PCT/US00/03565 filed 2/11/00, PCT/US00/04341 filed 2/18/00, PCT/US00/04414 filed 2/22/00, PCT/US00/04914 filed 2/24/00, now abandoned, PCT/US00/05004 filed 2/24/00, PCT/US00/05841 filed 3/2/00, PCT/US00/06319 filed 3/10/00, now abandoned, PCT/US00/06884 filed 3/15/00, PCT/US00/07377 filed 3/20/00, PCT/US00/08439 filed 3/30/00, PCT/US00/13358 filed 5/15/00, PCT/US00/14042 filed 5/22/00, PCT/US00/15264 filed 6/2/00, PCT/US00/13705 filed 5/17/00, PCT/US00/14941 filed 5/30/00, PCT/US00/20710 filed 7/28/00, PCT/US00/22031 filed 8/11/00, PCT/US00/23522 filed 8/23/00, PCT/US00/23328 filed 8/24/00, PCT/US00/30952 filed 11/8/00, PCT/US00/32678 filed 12/1/00, PCT/US01/06520 filed 2/28/01, PCT/US01/17800 filed 6/1/01, PCT/US01/19692 filed 6/20/01, PCT/US01/21066 filed 6/29/01, PCT/US01/21735 filed 7/9/01, and which claims priority under 35 USC § 119 to US provisional application numbers 60/049787 filed 6/16/97, 60/062250 filed 10/17/97, 60/065186 filed 11/12/97, 60/065311 filed 11/13/97, 60/066770 filed 11/24/97, 60/075945 filed 2/25/98, 60/078910 filed 3/20/98, 60/083322 filed 4/28/98, 60/084600 filed 5/7/98, 60/087106 filed 5/28/98, 60/087607 filed 6/2/98, 60/087609 filed 6/2/98, 60/087759 filed 6/2/98, 60/087827 filed 6/3/98, 60/088021 filed 6/4/98, 60/088025 filed 6/4/98, 60/088026 filed 6/4/98, 60/088028 filed 6/4/98, 60/088029 filed 6/4/98, 60/088030 filed 6/4/98, 60/088033 filed 6/4/98, 60/088326 filed 6/4/98, 60/088167 filed 6/5/98, 60/088202 filed 6/5/98, 60/088212 filed 6/5/98, 60/088217 filed 6/5/98, 60/088655 filed 6/9/98, 60/088734 filed 6/10/98, 60/088738 filed 6/10/98, 60/088742 filed 6/10/98, 60/088810 filed 6/10/98, 60/088824 filed 6/10/98, 60/088826 filed 6/10/98, 60/088858 filed 6/11/98, 60/088861 filed 6/11/98, 60/088876 filed 6/11/98, 60/089105 filed 6/12/98, 60/089440 filed 6/16/98, 60/089512 filed 6/16/98, 60/089514 filed 6/16/98, 60/089532 filed 6/17/98, 60/089538 filed

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6/17/98, 60/089598 filed 6/17/98, 60/089599 filed 6/17/98, 60/089600 filed 6/17/98, 60/089653 filed 6/17/98, 60/089801 filed 6/18/98, 60/089907 filed 6/18/98, 60/089908 filed 6/18/98, 60/089947 filed 6/19/98, 60/089948 filed 6/19/98, 60/089952 filed 6/19/98, 60/090246 filed 6/22/98, 60/090252 filed 6/22/98, 60/090254 filed 6/22/98, 60/090349 filed 6/23/98, 60/090355 filed 6/23/98, 60/090429 filed 6/24/98, 60/090431 filed 6/24/98, 60/090435 filed 6/24/98, 60/090444 filed 6/24/98, 60/090445 filed 6/24/98, 60/090472 filed 6/24/98, 60/090535 filed 6/24/98, 60/090540 filed 6/24/98, 60/090542 filed 6/24/98, 60/090557 filed 6/24/98, 60/090676 filed 6/25/98, 60/090678 filed 6/25/98, 60/090690 filed 6/25/98, 60/090694 filed 6/25/98, 60/090695 filed 6/25/98, 60/090696 filed 6/25/98, 60/090862 filed 6/26/98, 60/090863 filed 6/26/98, 60/091360 filed 7/1/98, 60/091478 filed 7/2/98, 60/091544 filed 7/1/98, 60/091519 filed 7/2/98, 60/091626 filed 7/2/98, 60/091633 filed 7/2/98, 60/091628 filed 7/2/98, 60/091646 filed 7/2/98, 60/091673 filed 7/2/98, 60/091978 filed 7/7/98, 60/091982 filed 7/7/98, 60/092182 filed 7/9/98, 60/092472 filed 7/10/98, 60/093339 filed 7/20/98, 60/094651 filed 7/30/98, 60/095282 filed 8/4/98, 60/095285 filed 8/4/98, 60/095302 filed 8/4/98, 60/095318 filed 8/4/98, 60/095321 filed 8/4/98, 60/095301 filed 8/4/98, 60/095325 filed 8/4/98, 60/095916 filed 8/10/98, 60/095929 filed 8/10/98, 60/096012 filed 8/10/98, 60/096143 filed 8/11/98, 60/096146 filed 8/11/98, 60/096329 filed 8/12/98, 60/096757 filed 8/17/98, 60/096766 filed 8/17/98, 60/096768 filed 8/17/98, 60/096773 filed 8/17/98, 60/096791 filed 8/17/98, 60/096867 filed 8/17/98, 60/096891 filed 8/17/98, 60/096894 filed 8/17/98, 60/096895 filed 8/17/98, 60/096897 filed 8/17/98, 60/096949 filed 8/18/98, 60/096950 filed 8/18/98, 60/096959 filed 8/18/98, 60/096960 filed 8/18/98, 60/097022 filed 8/18/98, 60/097141 filed 8/19/98, 60/097218 filed 8/20/98, 60/097661 filed 8/24/98, 60/097952 filed 8/26/98, 60/097954 filed 8/26/98, 60/097955 filed 8/26/98, 60/098014 filed 8/26/98, 60/097971 filed 8/26/98, 60/097974 filed 8/26/98, 60/097978 filed 8/26/98, 60/097986 filed 8/26/98, 60/097979 filed 8/26/98, 60/098525 filed 8/31/98, 60/100634 filed 9/16/98, 60/100858 filed 9/17/98, 60/113296 filed 12/22/98, 60/123957 filed 3/12/99, 60/141037 filed 6/23/99, 60/143048 filed 7/7/99, 60/144758 filed 7/20/99, 60/145698 filed 7/26/99, 60/146222 filed 7/28/99, 60/149396 filed 8/17/99, 60/158663 filed 10/8/99, 60/213637 filed 6/23/00, 60/230978 filed 9/7/00, the entire disclosures of which are hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional )**

566 pages of specification  
25 pages of claims  
1 page(s) of abstract  
330 sheet(s) of drawings  
☒ formal ☐ informal

3. **Declaration or Oath**

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)  
 \_\_\_ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

— A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

#### 4. Assignment

— An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

X The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

## 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	13	- 20 =	0	X \$18.00	\$0.00
Independent Claims	2	- 3 =	0	X \$80.00	\$0.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
<b>Filing Fee Calculation</b>					<b>\$710.00</b>

## 7. Method of Payment of Fees

**Method of Payment or Fees**  
The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**

☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations

☒ Submission of electronic and paper copy of Sequence Listing. I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.

☒ Other: Post card.

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

\_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until

\_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

X Address all future communications to:

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Respectfully submitted,  
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Reg. No. 35,059

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